

THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:07-CV-37-RLV

E.M.A., a Minor, by and Through Her Guardian)
ad Litem, DANIEL H. JOHNSON, WILLIAM)
EARL ARMSTRONG AND SANDRA)
ARMSTRONG,)

Plaintiffs,)

vs.)

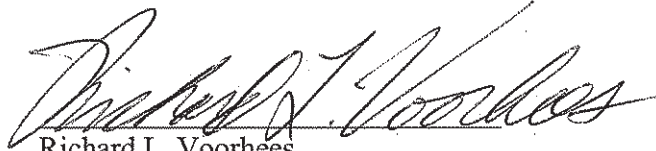
ALBERT A. DELIA, in his official capacity as)
acting Secretary of the North Carolina)
Department of Health and Human Services,)
Defendant.)

ORDER

This matter is before the Court on Defendant's Motion to Stay proceedings. The Court finds good cause to stay these proceedings, in the interests of economy of time and effort for the Court, for counsel, and for the litigants. The Defendants are preparing a petition for writ of certiorari to the United States Supreme Court regarding the decision of the United States Court of Appeals for the Fourth Circuit in *Armstrong v. Cansler*, 674 F.3d 290, 2012 U.S. App. LEXIS 5996 (4th Cir. Mar. 22, 2012).

It is therefore **ORDERED** that this case shall be and is STAYED until thirty days after the United States Supreme Court rules on the petition for writ of certiorari, and in the alternative, until thirty days after the United States Supreme Court rules on the merits in the matter of *Armstrong v. Cansler*, 674 F.3d 290, 2012 U.S. App. LEXIS 5996 (4th Cir. Mar. 22, 2012). If the Defendant does not file a petition for writ of certiorari, he shall immediately advise the Court.

This the 30th day of May 2012.

A handwritten signature in cursive script, reading "Richard L. Voorhees". The signature is written in dark ink and is positioned above a horizontal line.

Richard L. Voorhees
United States District Court Judge